IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

MONDAY, THE 26TH FEBRUARY 2007 / 7TH PHALGUNA 1928

WP(C).No. 6341 of 2007(E)

PETITIONER:

THANKY CHERIAN, W/O.CHERIAN,
AGED 43 YEARS, THOZHUPPADAN HOUSE,
KANDANADU, MANAKUNNAM VILLAGE,
KANAYANNOOR TALUK, ERNAKULAM.

BY ADV. SRI.SABU THOZHUPPADAN

RESPONDENTS:

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1. THE SPECIAL GRADE SECRTARY,
UDAYAMPEROOR GRAMA PANCHAYATH
UDAYAMPEROOR, ERNAKULAM.

2. THE TAHSILDAR, KANAYANNOOR TALUK,
ERNAKULAM.

3. THE ASSISTANT ENGINEER,
ROAD SECTION, P.W.D., TRIPUNITHURA.

4. RAVI, KOLLETHUPARAMBIL HOUSE,
KANDANADU, MANAKUNNAM VILLAGE,
KANAYANNOOR TALUK, ERNAKULAM.

5. THANKA RAVI, W/O.RAVI, AGED 52 YEARS,
KOLLETHUPARAMBIL HOUSE, KANDANADU, MANAKUNNAM
VILLAGE, KANAYANNOOR TALUK, ERNAKULAM.

BY G.P. SRI.T.B.RAMANI

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 26/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C.KURIAKOSE, J.

W.P.(C)NO.6341 of 2007

Dated this 26th day of February, 2007

JUDGMENT

This writ petition has been filed seeking initiation of appropriate steps against respondents 4 and 5 so as to prevent them from constructing any structure in violation of Section 220 (b) of Panchayat Raj Act. But as rightly submitted by the learned Government Pleader, who has taken notice for respondents 2 and 3, this court has already under Ext.P4 directed respondents 1 and 3 to take action against respondents 4 and 5 and that if the petitioner has a grievance that in spite of the direction in Ext.P4, respondents 1 and 3 are not taking any action her remedy lies under a different jurisdiction and not in filing a fresh writ petition on the same cause of action.

In view of Ext.P4, this Writ Petition will stand disposed of permitting the petitioner to initiate appropriate proceedings if so advised against respondents 1 to 3.

PIUS C.KURIAKOSE

Judge

dpk